

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LIBERTY MEDIA HOLDINGS, LLC

Plaintiff,

vs.

SERGEJ LETYAGIN, d/b/a
SUNPORNO.COM, IDEAL CONSULT,
LTD., "ADVERT", "CASTA",
"TRIKSTER", "WORKER", "LIKIS",
"TESTER" and DOES 1-50

Defendants

Case No. _____

FILED UNDER SEAL

**DECLARATION OF MARC J. RANDAZZA
IN SUPPORT OF *EX PARTE* MOTION FOR
ORDER TEMPORARILY SEALING
PORTIONS OF THE FILE AND MOTION
FOR ALTERNATE SERVICE**

I, MARC RANDAZZA, declare under penalty of perjury that:

1. I am the counsel for Plaintiff Liberty Media Holdings, LLC.
2. The following statements are based upon personal knowledge of the facts, and if called to, I would be able to competently testify to the facts contained herein.
3. I am familiar with the actions of foreign-based, offshore intellectual property pirates. It is within my knowledge and expertise that when intellectual property thieves become aware that their actions may result in legal liability, they quickly take steps to evade such liability, and to evade service.
4. I am familiar with the Defendants in the instant case, as I previously dealt with their evasion of service in a prior case.

1 5. Rule 4(f)(3) allows Defendants in a foreign country to be served "by other means
2 not prohibited by international agreement, as the court orders."

3 6. As such, Plaintiff Liberty needs prior permission in order to serve defendants via
4 alternative methods of service.

5 7. I have found a number of valid, working email addresses to use in order to contact
6 the Defendants: webmaster@nightangel.com and tgpalliance@gmail.com. I have engaged in
7 research directed at finding a physical location for any of the defendants, and I have been unable
8 to locate them. As such, electronic service is the most viable method for serving these hidden
9 defendants.

10 8. Further, the Defendants are represented by U.S.-based attorneys, Ms. Jennifer
11 Rinden, Esq., Ms. Connie Alt, Esq., Valentin Gurvits, Esq. and Evan Fray-Witzer, Esq. Gurvits
12 and Fray-Witzer are actually defending this very same website (www.sunporno.com) and
13 individual (Letyagin) in *Fraser'side v. Letyagin*, Civil Case No. 11-cv-03041-MWB (N.D. Iowa).
14 Mr. Gurvits and Mr. Fray-Witzer are ethically bound to communicate with their client, and will
15 inform their clients if service is effected upon them.

16 9. In my opinion, gained through my years of experience pursuing copyright
17 scofflaws, if the Defendants become aware that Plaintiff is attempting to obtain an order
18 allowing alternative service via email or by service upon Ms. Rinden, Ms. Alt, Mr. Gurvits
19 and/or Mr. Fray-Witzer, Defendants will, in all likelihood, disable all existing emails addresses
20 in order to further evade service and frustrate any such relief. As such, it is necessary to file both
21 the Motion Temporarily Sealing Portions of the File and the Motion for Alternate Service under
22 seal.

23 10. It is also my professional opinion that, if the parties to this suit were served with
24 documents in this case via email, they would receive them and have notice of the claims against
25 them with more certainty than if traditional means of service were required.

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2 11. As such, it is necessary to file Plaintiff's Motion to Seal Portions of the File,
3 Plaintiff's Motion for an Order Allowing Alternate Service Via Email, and Complaint under seal.
4 These documents may be unsealed as soon as Plaintiff has served Defendants via email, and
5 Plaintiff will alert the Court as to when this has taken place.

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7 Executed this 31st day of May, 2012 under penalty of perjury in Las Vegas, Nevada.

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9 s/Marc J. Randazza

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